

Hartley

Daniel N.

Senator Ernest Gruening  
U.S. Senate Office Bldg  
Washington, D.C.

Dear Senator Gruening:

Enclosed are two letters, one from Colonel Wenderer and my answer to him. I believe they are self-explanatory.

I am sure that you will recall that Secretary Zuckert indicated to you that he would abide by the decision of the Civil Service Commission. As you can see, Colonel Wenderer's letter that he does not intend to abide by it. Especially in view of the fact that he is well aware that Mr. Salisbury would not allow this incident to be a part of the record. It should be apparent to you that Colonel Wenderer is over-ruling a possible decision in my favor by permanently barring me from the Base. I know that he is aware of the facts concerning this incident as he discussed the incident with the Judge Advocate of the Base during the time that I was at the Judge Advocate's office. I am wondering if an Air Force Colonel can over-rule the Secretary of the Air Force.

I have been forced to offer my resignation as District Commissioner, Chugach District, Western Alaska Council, Boy Scouts of America because I am no longer permitted to enter Fort Richardson military reservation as a result of Colonel Wenderer's order.

I am wondering if you could give me the address of the Australian Ambassador, or any proper authority who could give me information on job opportunities in Australia. It is now apparent to me that the Air Force has made it nearly impossible for me to find work in this area. If I am forced to uproot my family and move to another location to find employment, I would like it to be Australia. I understand there are many opportunities there.

Thanking you for your kind consideration.

Daniel N. Hartley  
606 Barn Street  
Mt. View, Alaska

ADMINISTRATIVE FILE

Hartley, Daniel N.

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X

HEADQUARTERS  
ELMENDORF AIR FORCE BASE and 5040TH AIR BASE WING (AAB)  
United States Air Force  
APO 942, Seattle, Washington

REPLY TO  
ATTN OF: C

1 MAR 1962

SUBJECT: NOTICE OF BARING FROM MILITARY INSTALLATION

TO: MR. DANIEL N. HARTLEY  
600 DUNN STREET  
MT. VIEW, ALASKA

1. I AM INFORMED THAT ON 20 FEBRUARY 1962 YOU APPROACHED AN ENTRANCE GATE ON ELMENDORF AIR FORCE BASE SEEKING ADMITTANCE FOR THE APPARENT PURPOSE OF CONDUCTING PERSONAL BUSINESS. AN AIR POLICEMAN ESCORTED YOU TO THE OFFICE OF THE STAFF JUDGE ADVOCATE WHERE YOU DECLARED THAT YOU DESIRED TO SERVE A NUMBER OF "SUBPOENAS" ON CERTAIN MEMBERS AND CIVILIAN EMPLOYEES OF THE AIR FORCE TO PROCURE THEIR TESTIMONY BEFORE A CIVIL SERVICE COMMISSIONER INQUIRING INTO CONDITIONS SURROUNDING YOUR RECENT DISMISSAL FROM AIR FORCE EMPLOYMENT. YOU FURTHER DECLARED THAT, IF SUCH PERMISSION WAS NOT FORTHCOMING, YOU WERE PREPARED TO GET A FEDERAL COURT ORDER COMPELLING THE SAME.

2. HAVING ASCERTAINED THAT THE DOCUMENTS YOU CARRIED WERE NOT LEGAL SUMMONSES, BUT MERELY ADMINISTRATIVE REQUESTS FOR THE PRESENCE OF THE WITNESSES, MY STAFF JUDGE ADVOCATE ADVISED YOU THAT THE AIR FORCE HAD NO GENERAL OBJECTION TO YOUR PURSUE AND OFFERED TO DISTRIBUTE THE NOTICES FOR YOU. THIS LATTER OFFER WAS REFUSED BY YOU, SINCE YOU STATED YOUR ATTORNEY HAD TOLD YOU TO PERSONALLY DELIVER THE NOTICES TO THE ADDRESSEES. AT NO TIME DURING THIS SPECIFIC VISIT WAS THE SUBJECT OF YOUR ENTERING RESTRICTED AREAS ON THIS BASE MENTIONED OR DISCUSSED, NOR WERE YOU IN ANY REMOTE SENSE GIVEN AUTHORITY TO ENTER SUCH AREAS.

3. SUBSEQUENT TO THE ABOVE, AND IN VIOLATION OF EXISTING BASE REGULATIONS, YOU ENTERED THE BASE STEAM PLANT, A RESTRICTED SECURITY AREA, UPON THE REPRESENTATION THAT YOU HAD BEEN "CLEARED" BY THE STAFF JUDGE ADVOCATE. SINCE YOU WERE AN EMPLOYEE IN THIS SAME POWER PLANT FOR A CONSIDERABLE PERIOD OF TIME AFTER IT WAS PLACED IN A RESTRICTED STATUS, IT MUST BE ASSUMED THAT YOU WERE WELL AWARE OF ITS SECURITY CLASSIFICATION AND OF THE PROPER PROCEDURES NECESSARY TO SECURE ADMISSION. FURTHER, YOUR FALSE CLAIM OF CLEARANCE APPEARS TO HAVE BEEN A DELIBERATE AND UNFORTUNATELY SUCCESSFUL DEVICE TO CIRCUMVENT THOSE PROCEDURES.

4. ONCE INSIDE THE POWER PLANT, YOU PROCEEDED TO MAKE DISPARAGING REMARKS ABOUT MR. JAMES SETTER, ONE OF YOUR FORMER SUPERVISORS, AND TO FOMENT LOUD AND BOISTEROUS ARGUMENT WITH MR. CHARLES G. MARSELL, PLANT FOREMAN. WHEN MR. MARSELL ORDERED YOU FROM THE PLANT DUE TO YOUR LACK OF SECURITY CLEARANCE AND ACCOMPANIED YOU TO THE OUTSIDE GATE, YOU COMMITTED A VIOLENT AND UNPROVOKED PHYSICAL ATTACK UPON HIM BY STRIKING HIM WITH YOUR FIST, INFLECTING GRIEVOUS INJURY TO HIS EYE AND FACE.

5. IN VIEW OF YOUR INTOLERABLE BEHAVIOR, AS OUTLINED ABOVE, I HAVE DETERMINED THAT YOUR FUTURE PRESENCE ON THIS BASE AT ANY TIME WILL CONSTITUTE A CONTINUING AND HIGHLY DETRIMENTAL THREAT TO THE WELFARE, SECURITY AND SUCCESSFUL MISSION ACCOMPLISHMENT OF THIS COMMAND. ACCORDINGLY, YOU ARE HEREBY NOTIFIED THAT, EFFECTIVE UPON RECEIPT OF THIS NOTICE, YOU ARE PERMANENTLY BARRED FROM EVER BEING PHYSICALLY PRESENT UPON ANY PORTION OF ELMENDORF AIR FORCE BASE. FOR YOUR FUTURE INFORMATION AND GUIDANCE, PERTINENT PROVISIONS OF SECTION 1382, TITLE 18, UNITED STATES CODE, ARE QUOTED BELOW:

"WHOEVER, WITHIN THE JURISDICTION OF THE UNITED STATES, \* \* \* REENTERS OR IS FOUND WITHIN ANY \* \* \* RESERVATION, POST, FORT, ARSENAL, YARD, STATION, OR INSTALLATION, AFTER HAVING BEEN REMOVED THEREFROM OR ORDERED NOT TO RE-ENTER BY ANY OFFICER OR PERSON IN COMMAND THEREOF, SHALL BE FINED NOT MORE THAN \$500 OR IMPRISONED NOT MORE THAN SIX MONTHS, OR BOTH."

*Ralph M. Wanderer, Jr.*  
RALPH M. WANDERER, JR.  
COLONEL, USAF  
COMMANDER

COPIES TO:  
USLE  
LELF  
COMMANDING OFFICER  
FT RICHARDSON, ALASKA  
MR. HUGH G. KADI  
ATTORNEY AT LAW  
P.O. BOX 271  
ANCHORAGE, ALASKA



Colonel Ralph M. Wanderer, USAF  
Commander  
Eliassof AFB, Alaska

Dear Sir:

I have received your letter of March 1, 1962. I know this letter will have absolutely no effect upon you but for the record I feel I have to set some of the facts straight.

1. For instance, I was not prepared to get a Federal Court order as stated in your letter. However, a Major Morley, I believe his name is, asked in conversation what I would do if permission to deliver these summonses or request for witness to appear were refused. I merely stated I assumed we would probably have to get a Court Order. This is interesting. Major Morley insisted that the Air Force is not bound by the Federal Courts.

2. I specifically mentioned that Mr. Mansell, Mr. Culbert, Mr. McClain, Mr. Owen were working at the power plant and permission was given me by the Judge Advocate to deliver them to that area.

3. Your Judge Advocate can deny that he gave this permission if he wishes but the mere fact that he knows these men were working at the power plant and the fact that he gave me permission to deliver them should be sufficient to prove that I had permission from him to enter that area.

4. Mr. Setter's name was never mentioned in the power plant. I did not enter the power plant in a loud and boisterous manner. I tapped on Mr. Mansell's door finding him on the telephone. I left to give Mr. McClain and Mr. Andrews their notice. Several men of the plant attempted to get me into a conversation with them. I declined to do this as I felt the permission from the Judge Advocate was for the sole purpose of delivering these notices. I believe if you will question Mr. Willgoose and Mr. Hill on this point they will sustain my claim. I then returned to Mr. Mansell's office still finding him on the telephone. I waited in the outer office until he had completed his call. I then tapped on his door again when he looked up I told him that this was a notice to appear at my hearing at 9:30 Monday morning. He then told me "to get the hell" out of the plant. My words were then "you refuse to accept this thing?" He then said "get the hell out or I'll throw you out". At this point, I believe the conversation did become loud and boisterous between the both of us. At this point, I stepped out in the outer office and asked Mr. Andrews to witness the fact that Mr. Mansell had refused to accept this notice. Mr. Mansell then took hold of my jacket and attempted to man handle me. At that point I told Mr. Mansell to take his hands off my jacket. That I would walk out but that he was not about to throw me out. We walked out of the plant to the gate together. All the way, Mr. Mansell was extremely abusive indicating what he would do to me if I ever entered the plant again. When he opened the gate I started to walk through it. At this point Mr. Mansell again grabbed a hold of my jacket and as I turned to face him he shoved me backwards saying "get out and stay out, you SOB" I have abbreviated these words fearing you could use them against me if I spelled them out in a letter as it may be

illegal to send such language thru the mail. The walk at the gate was very icy, I lost my footing momentarily and very nearly fell backwards down the concrete steps there. I grabbed Mr. Mansell's jacket to keep from falling down the steps and when I had regained my footing I hit him. At this instant, Mr. Mansell started yelling "did you see that! did you see that!" The foreman from the Sanitation Branch came running out the side door of the plant some 50 yards away. It became apparent to me that Mr. Mansell had aggravated me into doing what I did and had planted a witness to observe it. I had been in the plant earlier in the day when he was not in. He was well aware I would be back to deliver his notice to appear as a witness.

I realized immediately that I had allowed myself in a moment of anger to do something that was very wrong. I immediately proceeded to the Judge Advocate's office to apologize to him for having allowed this incident to occur. I was in his office when you called him over the intercom system and you are well aware that that was my purpose for being there. And for you to say, this was an unprovoked attack, I am sure that you don't believe this yourself.

5. I believe that is a move on your part to make it impossible for me to be re-instated in my job even though the Civil Service Commission may order it. In addition to this, you are well aware that I am serving Fort Richardson as District Commissioner for Boy Scouts. In fact, I am scheduled to present a pack charter at the Fort Richardson Officer's Club at 6:30 PM, March 9. I work closely with all the Fort Richardson units and have many occasions to enter Fort Richardson on scouting matters. Of course, I realize I am not indispensable and other men can undoubtedly do the job much better than I. I will have no further official business to enter Elmendorf Air Force Base unless I am re-instated in my job. Last week, Maynard Taylor, the District Commissioner for Inlet District asked me to present a cub pack charter at a Blue and Gold dinner at Elmendorf. I asked him to get someone else to do it as I didn't feel that I would be welcome on the base.

You are well aware through your work here in Scouting in this council that I am serving Fort Richardson as District Commissioner. This order of yours will make it impossible for me to do this volunteer job which is very dear to me. I feel it is a law bias on your part to deny me my opportunity to serve the boys at Fort Richardson. The mere fact that this grievance of mine has been active now for two years, that a decision has been handed down in my favor but the retaliation of reprisals has continued on against me in spite of this indicates that there is something very wrong at Elmendorf AFB Base. I will again offer to submit myself to a lie detector test on this point and any point concerning this as I did at the Civil Service Hearing and as I did before the grievance hearing nearly a year ago.

cc: Senator Wrasing  
Senator Bartlett  
Representative RIVERS  
Mr. James E. Hoffa  
Commanding Officer, Fort Richardson  
Mr. Ray Peterson, President, Western Council of Boy Scouts of America  
Robert Smith, Scout Executive, Western Council of Boy Scouts of America

Daniel E. Bartley  
606 Gunn Street  
Mt. View, Alaska

February 28, 1962

Senator Ernest Gruening  
U.S. Senate Office Building  
Washington, DC

Dear Senator Gruening:

The Civil Service hearing was completed yesterday. It was conducted by a man by the name of Salisbury. I believe that was his name. Both Mr. Wade and I were pleased with him. He gave us every consideration and was very fair. We believe that any error he may have in the decision, if any, will be fair.

However, there are some conditions that existed in this hearing that are undoubtedly beyond Mr. Salisbury's control which I would like to complain of. First, Mr. Owen, one of my witnesses was told that if he came to testify at this hearing he would have to come on his own time so I assume that all of my witnesses were required to come on their own time. We were also informed that management's witnesses were given administrative leave. We called Mr. Andrews, the Alaskan Air Command's Acting Personnel Officer and Mr. Mansell, Foreman of the Elmendorf Power Plant as witnesses for me. We are curious to know if they were given administrative leave or had to use their annual leave. The Captain representing management stated that my witnesses were not entitled to administrative leave because I am not an employee of the Air Base. I would like to point out that if Mr. Andrews and Mr. Mansell got administrative leave for the time they were there to testify for me, it would seem normal that all of my witnesses should be given administrative leave even though these two witnesses were hostile witnesses. Jerry did not call Mr. Mansell to testify but he did call Mr. Andrews. However, Mr. Mansell did wait nearly all morning to be called and Jerry decided not to put him on the stand. He did later, however, appear as a witness for management.

There is one other point which I believe is beyond Mr. Salisbury's control which should be corrected. There was no recorder to take down the transcript and Mr. Salisbury was forced to take the statements down himself in long hand. This caused the hearing to go very slowly. I would estimate that it doubled the time and with attorney's fees being \$25 dollars an hour I believe it could be less expensive to hire a recorder. I settled up with Jerry today and so far the attorney bills in this matter have gone over \$1500. I think you will agree that that is a little expensive for the blue collar worker.

There were some interesting points that came out in the testimony. Mr. Andrews, the Alaskan Air Command Personnel Officer testified under oath that no man could ever win a grievance. I think you will agree that this has been my contention all along. And Mr. Andrews being the Alaskan Air Command Personnel Officer, this undoubtedly reflects the attitude of the Air Force. They have proven beyond any reasonable doubt that they were out to see that I did not win this grievance.

Mr. Aly, the Deputy Base Engineer, who wrote my letter of proposed removal and my letter of removal testified under oath that he had not considered my long years of service with the government; he had not consulted my personnel records; he had not talked to my immediate supervisor; he had not talked to my fellow employees; he had not consulted the transcript concerning any of the accusations that I had pointed out in my letter in answer to his letter of proposed removal; he had not consulted with Mr. Harlock nor the summary report which was handed down by Colonel Sharp or his Inspector General's investigation.

As you know Mr. Mordock insisted that he had not been quoted verbatim on testimony he had given under oath at this investigation. In fact, Mr. Aly's testimony indicated that his letter of proposed removal and letter of removal was written on advice from Mr. Stanley Rismort, Mr. Potter and Mr. Mansell, Mr. Davis and other Air Force officers who have been my severest critics. He indicated that he has made absolutely no effort nor had even considered the points or the issues which I had pointed out in my letter to him.

Of course, I will not attempt to indicate to you that the testimony was entirely in my favor. It was not. I believe it was well established that my statements were defamatory, possibly should not have been made. However, it is difficult for me to see how one can grieve about management and his employer and compliment them at the same time. Certainly if you grieve against your employers, the statements you grieve about could be considered to be defamatory otherwise it would be impossible to grieve.

I have written you this letter to keep you informed as to what has happened here. I do believe however that Congress should write a few more teeth in the Civil Service right of appeal. For instance we had no subpoena power and witnesses who appeared for me were required to appear on their own time. Mr. Downey, the Assistant Personnel Officer at Elmendorf who had encouraged me the most to appeal General Neenan's decision refused to appear. Of course, I have not talked to Mr. Downey about this and do not intend to but it is my belief that they make such threats or reprisals that he was afraid to appear. He indicated this to me on several occasions that they were threatening him, and in view of the fact that he has since changed his position is understandable.

Sincerely,

*Daniel N. Hartley*

Daniel N. Hartley  
606 Gunn Street  
Mt. View, Alaska

cc: Senator E. L. Bartlett  
Representative Ralph Rivers  
Mr. James Hoffa



ADMINISTRATIVE FILE

Hartley, Daniel N.

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January 29, 1962

James R. Hoffa, President  
International Brotherhood of Teamsters, Chauffeurs,  
Warehousemen and Helpers of America  
25 Louisiana Avenue, NW  
Washington, DC

Dear Mr. Hoffa:

I have received a letter from Senator Gruening today in which he is asking for a practical suggestion as to what is left for him to do. He states that a Senate investigation would not be obtainable as the Air Force, like all Government agencies, has the right to make its own personal decisions unless there is evidence of gross malfeasance, dishonesty or wrong doing. This I believe we have proved conclusively that the Air Force is guilty. After all, we have a decision handed down by the Commanding General of the Alaskan Air Command reversing the Air Force and his own Inspector General on a year and a half investigation and it was admitted that many of the charges I brought against them are true and I have statements signed by men who testified at the Inspector General's investigation that their testimony was charged or deleted from the report. In one case the Inspector General stated that there was no evidence that Mr. Mansell had ever been in the plant under the influence of alcohol. However, Mr. Williams who testified at this investigation gave me a statement stating that Mr. Mansell had been in the plant on several occasions with a strong odor of alcohol on his breath and he would become extremely belligerent toward the men for no apparent reason.

I have pointed out that this intolerable situation has extended over a period of years. It would appear to me that there is certainly something here that a Senate investigation or some investigating group could get its teeth into.

Enclosed you will find copies of letters to Senator Gruening and an affidavit which was prepared by my attorney, Mr. Hugh J. Wade, Jr. which is self-explanatory.

Sincerely,

*Daniel N. Hartley*

DANIEL N. HARTLEY  
606 Bunn Street  
Mt. View, Alaska

Enclosures

January 29, 1962

Senator Ernest Gruening  
U. S. Senate Office Bldg  
Washington, DC

Dear Sir:

I agree you have supported me in this matter for over two years for which I am deeply appreciative.

However, I do not believe the Air Force are innocent of the charges brought against them simply because they deny them and reject the claims made against them. I believe the charges that have been made by me and other employees do indicate gross malfeasance, dishonesty and wrong doing. In fact, the reversal of General Macrae could indicate this and the other evidence or statements will prove it. If a Senate investigation is not possible, a Labor Department investigation or any impartial board outside the Air Force would be satisfactory. Perhaps if there has been a change in the Inspector General's Office that would indicate that they would make an honest attempt to investigate this matter would be satisfactory. However, I doubt the Air Force's sincerity in anything they do.

I feel it is the duty of the Congress to protect its Civil Service employees against a situation I am now faced with. After all, we are denied the right to strike. Undoubtedly, a situation like this would have called for a strike long ago in private industry and I believe that you will agree that it would not have been a strike against the Government but a strike against the unscrupulous officials responsible for this. I think you will agree that our right of collective bargaining is very limited.

To this date, our attorney's bills in this matter have reached the sum of \$1150. It will undoubtedly be considerably more before this hearing is completed. It is my belief that this was the intention of the Air Force to make this so expensive that we could not go on. I certainly believe that the Congress has an obligation to protect us, especially in view of the fact that we have all ready had a decision against the Air Force handed down by the Commanding General of the Alaskan Air Command.

I believe you have the copies of my appeal to the Civil Service Commission. I will enclose a copy of an affidavit prepared for me by my attorney, Mr. Hugh J. Wade, Jr. and signed by me. As you will note, he has approached my defense from an entirely different angle than I had planned. It is a point I hadn't thought of but I believe the point is well taken. Jerry believes that this will shorten the hearing and at the same time make it less expensive for me. Today being Saturday, I will not be able to discuss this with the Senator's officials until Monday. They may possibly have other suggestions that I may not have thought of. However, the mere fact that I have been able to keep this case alive for over two years now should indicate that there is something definitely wrong. That if the Air Force is completely innocent in this matter, it would have been impossible for me to have prepared a defense that would have kept this thing alive this long. Most certainly, I could never achieve a ruling against them which was done. I again emphasize that I

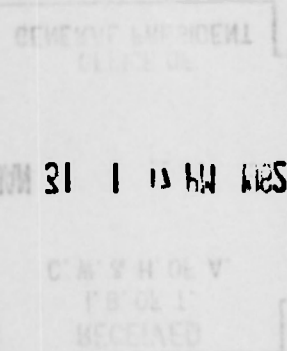
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do not believe the Air Force is innocent simply because they deny the charges.  
It would certainly seem odd that a person or persons guilty of wrong  
doing could avoid an investigation simply by denying the charges.

Sincerely,

DANIEL M. HARTLEY  
606 Penn Street  
Mt. View, Kansas

Enclosure-James Hoffa  
Mr. Erickson



ERNEST GRUENING  
ALASKA

SENATE  
JAN 24 1962  
ALASKA

United States Senate  
WASHINGTON, D.C.

GEORGE BUNDSONG  
LEGISLATIVE ASSISTANT

HERBERT W. BEALLER  
LEGISLATIVE ASSISTANT

January 24, 1962

Mr. Daniel N. Hartley  
606 Burr Street  
Mountain View, Alaska

Dear Dan:

I am sorry that you are disappointed in my letter of January 10th. Needless to say, I am more than willing to stick with you and to take any steps that might be productive in getting you back your job. You have had my unqualified support for nearly two years now, as the voluminous file in my office amply testifies.

Unfortunately, I cannot command the Air Force to do what I would like to have it do, and I would appreciate greatly having you make a practical suggestion as to what is left for me to do. A Senate investigation, which you suggest, I can assure you would not be obtainable, because, after all, the Air Force, like all other Federal agencies, has a right to make its own personnel decisions. Unless there is evidence of gross malfeasance, dishonesty or wrongdoing, a Congressional investigation is out of the question. Don't forget that I have been hammering at this agency in presenting your case for nearly two years, and its replies continue to reject the claims made in your behalf.

As I again review your file, I feel that I have done everything that I know how to do, and will be glad to continue this fight if there is some practical way in which I can do so with a prospect of success.

JAN 24 1 15 PM '62



Daniel N. Hartley,

-2-

January 24, 1962

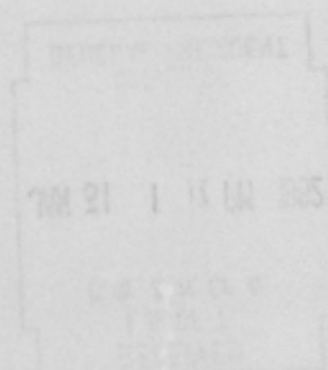
The fact is that you are now appealing to the United States Civil Service Commission, and I will be prepared to do my part in urging that it give you the fullest kind of a hearing, with a recommendation for such remedial measures in your behalf as may be possible. Please let me have a copy of your appeal so that I may take up the matter with the Commission.

Cardially yours,

Ernest Gruening

Ernest Gruening, U.S.S.

cc: Senator Bartlett  
Congressman Rivers  
Jesse L. Carr



January 22, 1962

Senator Ernest Gruening  
U. S. Senate Office Building  
Washington, DC

Dear Sir:

I was extremely disappointed in your letter of January 10th to quote your own words you had stated that if I stuck with them you would stick with me. You stated this in a telephone conversation here in Anchorage, and it was extremely encouraging to me. It is easy for me to understand how you could doubt one employee such as myself after the statements that have been made about me by Colonel Wenderer. However, I believe that I had answered his statements very satisfactorily and a check of my 201 file had proved that his statements are twisted or untrue.

But I certainly don't believe that all of the men who have had difficulty with the management of the Power Plant in the last few years have a bad record or are mere trouble makers. In addition to myself, there is first, Mr. Ben Hill whose Civil Rights Case, I am told by Mr. Joe Josephson, will be heard sometime next week. Secondly there is Mr. Homer Hancock who is appealing his RIF to the Civil Service Commission. . . There is Mr. W. Steitz who grieved about a matter of his being sick in the plant, however, he left to take a teaching position in Homer before his grievance hearing came about. . . There is Mr. Barnett who was held back from promotion strictly because he is a colored man until after the Joint Air Command - Civil Service Commission investigation in the summer of 1960. . . There is Mr.orthy Mack who believes he has not had the promotion he is entitled to because he is a colored man. . . There is Mr. George Moore who thru his attorney, Mrs. Helen Stinson, is having difficulty collecting his workmen's compensation because Mr. Better refused to fill out his accident report. . . He is also complaining that he was terminated illegally. There is Mr. Stafford who who believes he is not being promoted because Mr. Better and Mr. Mansell have a personal dislike for him. . . There is Mr. Hansen who believes he was denied a promotion because he used sick leave when there was a contagious disease in his family. . . 9. There is Mr. M. Dunn who was discharged in the same manner that I've been discharged. 10. There is Mr. Willie now shift foreman at the Fort Richardson Power plant who left the Elsendorf Plant because of the extreme harassment that he encountered after testifying at Mr. Dunn's grievance hearing. 11. Mr. . . . who has given me a statement concerning the harassment that he has undergone since he testified at my hearing. 12. There is Mr. Webster who has also been under harassment. 13. There is Mr. Schulte who had sick leave difficulty and there are others whose names I do not remember who left the employment of the Plant rather than undergo the abuse by the Plant management. Much of this is in the evidence of my hearing. I don't believe it could be said that all of these men have a bad employment record.

I do not intend to attack Secretary Luckert but I do believe however, that he is tolerating and in fact encouraging a very bad situation that has existed here at Elsendorf for a very long time. If Secretary Luckert should come under attack it will be from the Teamsters Union or from Mr. Hoffa himself. I personally believe he has placed himself in a position where he is open for criticism by his refusal to investigate the charges that I and other employees have brought to the attention of the Air Force.

- 2 -

My former fellow employees, the officials of the Teamster Union and I are not at all happy with your suggestion that we appeal to the Inspector General of the Air Force for a full investigation. You are well aware that we have had an investigation by the Inspector General of the Air Force. In fact, one of the charges which I have brought against them which undoubtedly is one of the things that they consider defamatory as the Inspector General of the Alaskan Air Command, Colonel Frank Sharp white-washed the situation completely but it was later admitted by General Neerason that at least some of the charges I had made against management were true. I am in possession of a signed statement by one of the witnesses that his testimony is quoted in the Inspector General's report was quite different than what he actually said. I am also in possession of a statement that Mr. Mansell had been in the plant on several occasions with a strong odor of alcohol on his breath and would be extremely belligerent to plant employees. The report by the Inspector General indicated that there was no evidence that Mr. Mansell had ever been in the plant under the influence of alcohol. I believe regulations consider one drink under the influence. It should be obvious to you as it is to us that another investigation by the Inspector General would be an attempted white-wash.

We were extremely disappointed in your letter of January 10th because Congressman Rivers and Senator Bartlett had both indicated that they would follow your lead in anything that you did in this matter. If you drop us now then of course we have lost their support also.

For your information, since my dismissal many, many people have called concerning this matter wondering what I am doing and some asking for advice in their own difficulties they are having. Most of these people I do not know or never heard of before. One in particular is a Mr. Coleman who happens to be the cousin of a Mr. Clarence Coleman, the president of the NAACP. He asked me to talk to him which I have done. They were extremely interested in the fact that I have been referred to as the "Squaw Man" around the plant thinking they would perhaps be able to help me thru the civil rights laws. They were also aware of the fact that another man in the plant whose name I do not remember who also happened to be married to a native girl was harassed by the Plant management until he left his employment there. I had never considered this a point till they brought it to my attention. They also asked me to talk to Mrs. Blanche McSmith which I have done. I believe you will be hearing from her concerning this matter, if you have not heard all ready.

We believe the charges that we have brought against the management of this Power Plant calls for an investigation, independent of the Air Force, preferably a Senate investigation or a Labor Department investigation. This has been indicated to you before by Mr. Jesse L. Carr, Teamster Local 959. We believe it is within the authority of the Alaskan Congressional delegation to bring this about. Both Congressman Rivers and Senator Bartlett have indicated they will support you.

If I am not entitled to your support, I believe the many civil service employees in this area who have loyally supported you in the past are entitled to your support.

Sincerely,

Daniel M. Hartley  
606 Bum Street  
Mt. View, Alaska

cc: Mr. Jesse L. Carr  
Mr. James Hoffa

A F F I D A V I T

STATE OF ALASKA )  
THIRD DISTRICT )  
COURT OF )

SS:

I, DANIEL E. HARTLEY, living at Anchorage, Alaska,  
, being duly sworn, make this

statement of my own free will, without any promises or assurances:

1. I freely admit having made the statements or statements similar to those set forth in the notice of proposed removal addressed to me on November 27, 1961. These statements were made in the course of a long and involved grievance procedure which I initiated. In my grievance I complained of what appeared to me to be abuses in certain management practices at the Elmendorf Air Force Base, Power and Heating Section. These statements and others which I made in the course of that grievance procedure were made in good faith in an attempt to secure corrective action to those abuses. The investigations made pursuant to my written grievances covered a period of approximately 18 months. The facts were complicated. Several of the hearings contained heated exchanges between management and labor. The ultimate official findings which terminated these grievances supported many of my original contentions. As to other contentions it was the official finding that there was insufficient evidence to support any conclusion. There is no intimation in the official findings that any of my grievances were frivolous or made other than in good faith. It was my understanding that statements made in good faith pursuant to a formal grievance and within the framework established by the Air Force for the determination of such grievances were privileged in the sense that they could not be basis of later disciplinary action or reprisal. It is statements falling within this category which have not been made the basis of action removing me from my position at Elmendorf Air Force Base.

2. Although it is my feeling that the official findings made by the Air Force in terminating my original grievances lend credence to all, and prove conclusively some of the statements complained of in this matter. I do not believe that it is necessarily within the

Page 1 of 2 pages: Initials: \_\_\_\_\_



scope of this Civil Service investigation to determine the truth or falsity of my statements. It is simply my submission that since they were made in good faith during the course of a grievance procedure, they cannot be the basis of a removal action against me.

3. I do not believe that the reasons given for my removal in the notice of proposed removal dated 27 November, 1961, or in the final decision removing me from my position are, in fact, the true reasons for my removal. Rather, I believe that the investigations following my formal grievances proved embarrassing to many management officials at Elmendorf Air Force Base, and that my removal is a reprisal for those investigations.

I have read the above statement consisting of two pages, which is true and complete to the best of my knowledge and belief. I further understand that the information I have given is not to be considered confidential and that it may be discussed with or shown to the interested parties.

\_\_\_\_\_  
(Signature)

Subscribed and sworn to before me

at Anchorage, Alaska,

this 34th day of January 1962.

Investigator, U.S. Civil Service Commission

Page 2 of 2 pages: Initials: \_\_\_\_\_

RECEIVED  
JAN 31 1 14 PM '62  
CIVIL SERVICE  
COMMISSION  
ANCHORAGE

Office of the General President

To: Mr. Jesse A. Hoffa

From: Harold Thirion

ADMINISTRATIVE FILE

X

X

January 23, 1962

DATE

Daniel Bartley, the writer of the attached letter, was reprimanded by the Air Force for the abuse of sick leave as a result of a head-on collision in his car. He did not agree with this and made a grievance out of it. After one and a half years and three investigations, the Air Force admitted they were wrong and stated that he had not abused his sick leave nor been dishonest in using it.

He was later removed from his Civil Service position for making defamatory statements about his superiors and other officials of the Air Force and has now been blackballed. Since that time he has contacted his Senators and others in an effort to be reinstated but with no success. He has taken his appeal as far as he can in the Air Force and now has a hearing pending before the Civil Service Commission. Local Union #959 has helped him to the best of their ability by writing to Senators Gruening and Bartlett and Representative Rivers. Other employees working on the job have helped him financially by making contributions in the amount of \$900.

Bartley is trying to get a group together to organize Civil Service employees but the officers of our local union do not feel that this is the most opportune time as they are in the process of organizing the State employees, and also, because of the unfavorable publicity received by Bartley and other cases of the same nature which are still pending.

HT:pf

Handled -  
Give JPH a report  
on this so he can reply  
Thanks. JOE

Mt. View, Alaska  
January 17, 1962

Mr. James R. Hoffa, President  
International Brotherhood of Teamsters  
Chauffeurs, Warehousemen and Helpers of America  
27 Louisiana Avenue, N.W.  
Washington, DC

Dear Mr. Hoffa:

Enclosed you will find copies of several documents which I hope will be of interest to you. I want to express my gratitude for the effort that Teamsters Local 909 are doing in behalf of myself and my fellow employees who are having considerable difficulty with the Air Force.

I would point out that my own troubles with the Air Force started in December 1959 when I was involved in a head-on collision with my car. I was given a reprimand for having abused sick leave. I grieved on this issue. My fellow employees raised a sum of over \$900 for attorney fees and after three investigations the Air Force reluctantly admitted at the Air Command level that management had been extremely harsh in the administration of sick leave and that Mr. Hartley had never abused sick leave or been dishonest in using it.

I would emphasize that it took the Air Force over a year and a half to reach this decision after they had gone thru white-wash investigations, one conducted by the Inspector General in which the sworn testimony of a witness was changed to give the impression the Air Force wanted. I have the signed statement of this witness stating that this happened. There have been other irregularities which have been pointed out in my appeal to the Civil Service Commission addressed to Mr. C. L. Bagshaw.

In my letter of January 4, 1962, addressed to the Alaska Congressional delegation, I mentioned a Mr. George R. Moore. Mr. Moore was injured in the Power Plant at Elmendorf in November 7, 1959. The Plant Superintendent refused to fill out his accident report and he was terminated. Mr. Moore had sustained an injured disk in his back. He has not worked a day since this accident and he has been unable to collect workman's compensation. I have a signed statement by Mr. Moore written for him by his attorney, Mrs. Helen Simpson concerning this case.

I have since been discharged from my job and am now being forced to use the money which was in my Federal retirement fund to pay my attorney's fee in this matter. I firmly believe it was the intention of the Air Force to make it financially impossible for me to carry on this battle, to drag it out so long that the witnesses would become hazy in their memory of what happened and that they would make the reprisals so severe that witnesses would hesitate to give statements to the Civil Service Commission.

We have been told by the Civil Service Commission investigator, Mr. Reed Hamilton that any statements made will be shown to both sides in this matter and he has indicated there is nothing the Civil Service Commission can do to protect them. Obviously, many potential witnesses will be reluctant to give statements knowing what has all ready happened to me.



- 2 -

We have been hoping that somewhere along the line we could bring this to the attention of the press. The local papers have so far refused to touch it. However, we feel it is a matter that should be brought to the public attention. Perhaps you could make it possible for this to be brought to the attention of one of the great newspapers or one of their columnists who would look into this situation.

It is my understanding that the Teamsters are attempting to organize the Federal employees. If this is true, I hope we will be organized under your organization here in Alaska as early as possible.

We have all been made aware from time to time that the Administration has investigated your organization and attempted to blacken your name. They have been unsuccessful and you still stand strongly at the head of your organization. It is my opinion that the Administration should clean its own house before it attempts to clean up some of the labor organizations. There is a very dirty corner of the Administration's house here at Elmendorf Air Force Base but yet men like Secretary Zuckert are tolerating, in fact encouraging the intolerable situation which we, the civilian employees at Elmendorf are faced with.

For a period of nearly two years Senator Gruening has been solidly behind me in this matter which probably accounts for the fact that I have been able to keep it alive for two years. But now however, he has apparently taken the word of Colonel Wanderer, the Base Commander here that Hartley has a bad employment record. I think it should be pointed out to him that his support in the forthcoming election will not come from Colonel Wanderer and his cronies but from Dan Hartley and the civilian employees who are suffering under the administration of Colonel Wanderer's corrupt command.

If you would care to study the 400 page transcript that came from my grievance hearing in which they were finally forced to rule, at least to some degree in my favor, I would be happy to send it to you. I am certainly hoping that you will be able to use some of this information in your battle with the Kennedy boys. I know that if you can, it will be helpful to me here at Elmendorf as well.

Sincerely,

*Daniel N. Hartley*  
DANIEL N. HARTLEY  
606 Dunn Street  
Mt. View, Alaska

ERNEST GRUENING  
ALASKA

HOME ADDRESS:  
Box 1083  
Juneau, Alaska

GEORGE SUNDBORG  
ADMINISTRATIVE ASSISTANT

HERBERT W. BEASER  
LEGISLATIVE ASSISTANT

United States Senate

WASHINGTON, D.C.

January 10, 1962

Mr. Daniel N. Hartley  
606 Lunn Street  
Mt. View, Alaska

Dear Mr. Hartley:

This letter is written in response to both your letters of December 29, 1961, and your letter of January 4, 1962.

I agree with you that you certainly have had a difficult time with the powers that be of the Air Force. However, I can also appreciate the stance which the Air Force takes, in viewing your record of employment with the Air Force. It is regrettable that incidents of this nature can arise. I think you know by now that I have vigorously supported your cause throughout the lengthy period dating from the first time you called the situation of your difficulties to my attention.

Although my sympathies are with you, I believe that I have done all that it is possible for me to do in your behalf during the last 1 1/2 years.

I am enclosing a carbon copy of the reply from the Secretary of the Air Force Zuckert for your information. I believe this letter effectively closes the matter as far as the Secretary of the Air Force is concerned and I doubt if you would get very far if you were to accuse him of dishonesty or a lack of integrity because he refuses to reopen your case to investigation.

I wish you the best of luck in any appeal you may make to the Civil Service Commission. You will note that Secretary Zuckert indicates a willingness on the part of the Air Force to "abide by any decision forthcoming from the Civil Service Commission".

Cordially yours,

*Ernest Gruening*

ERNEST GRUENING, U. S. S.

Enclosure

DEPARTMENT OF THE AIR FORCE  
WASHINGTON

OFFICE OF THE SECRETARY

JAN 8 1962

Dear Senator Gruening:

This is in response to your recent inquiry in behalf of Mr. Daniel M. Hartley.

I am thoroughly familiar with Mr. Hartley's case and do not feel it appropriate to interfere with the decision relative to Mr. Hartley's discharge.

Mr. Hartley has indicated that he has utilized his prerogative of appealing to the United States Civil Service Commission. The Civil Service Commission is an agency independent of the Air Force and the matter at this time is outside our control.

Please be assured that the Air Force will abide by the final decision rendered by the Civil Service Commission.

Sincerely,

Signed  
Eugene M. Zuckert  
Secretary of the Air Force

Honorable Ernest Gruening  
United States Senate

January 4, 1962

Senator Ernest Gruening  
U. S. Senate Office Bldg  
Washington, DC

Senator E. L. Bartlett  
U.S. Senate Office Bldg  
Washington, DC

Representative Ralph Rivers  
U. S. House  
Washington, DC

Dear Sirs:

I want to thank you for your recent correspondence and again express my appreciation for the effort you are giving to help me in this matter.

Enclosed you will find a copy of a statement signed by Mr. George R. Moore, 606 L Street, Box 541, Anchorage, Alaska. The original of this statement is in the file concerning this case in the Senator's Office, Local 959. I will state that I have statements similar to this also in this file with a promise of more to come.

I sincerely believe that a complete investigation is called for. It is my understanding that there are three grievance hearings pending at Elmendorf, not including the one I was denied by this action of removal which in itself was illegal as by their own regulations no action should be taken against an employee while a grievance is in process against management. There are two Civil Service hearings coming, my own and that of Denver Jones also of the "Over Plant". There is a Civil Rights hearing pending, that of Mr. Jim Hill also of the "Over Plant". It is my further understanding that the Air Force went thru two Civil Service hearings in the year '60-'61 and last both of them. Certainly where there is so much smoke, there must be some fire.

It seems incredible to me that high officials of our government could completely ignore this situation for so long. After all the charges, that I alone have brought against management are certainly serious enough to warrant an investigation. If these people are as innocent as they claim to be they should welcome an investigation to clear the cloud away that I have spread over them.

It is ridiculous to expect the Air Force to investigate itself, sit in judgment, and hand down a final decision against themselves. This is the situation that I and other employees have been faced with in the past.

I think it should become obvious to you now that I am not without friends and support in this matter and that this thing will be fought thru to a successful conclusion even though the Administration may find itself a little more than embarrassed because of their neglect in the handling of



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this matter. It is my opinion that Secretary Zuckert has not been completely honest in the handling of this. It is my further opinion that he has not investigated it at all. It is my further opinion that he has taken the word of Mr. Good who I have reason to believe is in close contact with the officials at Elmendorf.

I sincerely hope that this will bring out a complete and impartial investigation, absolutely independent of the Air Force. I will emphasize again that I will be more than happy to stand or fall on the record as it now exists. I do not claim to have been completely right in the handling of this matter but if I have made mistakes they have been honest mistakes and the charges I have made I sincerely believe to be true. I know that I can prove many of them by the written record that now exists.

Sincerely,

Daniel M. Hartley  
606 Dunn Street  
Mt. View, Alaska

Enclosure

December 22, 1961

C. L. Bagshaw  
Manager, Alaska Branch Office  
U. S. Civil Service Commission

Dear Sir:

This is my notice of appeal to the letter from William L. Aly, Deputy Civil Engineer, Base dated December 21, 1961, Notice of Final Decision - Removal. I will state that Mr. Aly has been very dishonest in the handling of this matter. He admitted to me that he had written the Notice of Proposed Removal in spite of the fact that he had no knowledge of the case and he has continued to refuse to look into the evidence of the written record.

I propose to prove that many of the statements that are allegedly defamatory statements concerning my official supervisor and other officials of this base and the Air Force are true.

I will offer in evidence a letter correcting a statement made by Colonel Sparks, a Legislative Liaison in Washington, DC which admits an error of nearly 500 hours. I will also offer in evidence my leave record which proves Colonel Sparks statements to be untrue.

I will offer in evidence the transcript of my grievance hearing and a copy of the Summary Report of Inquiry Concerning Mail-Administration of Sick Leave Policy of the Elmendorf Air Force Base Heating Plant which will prove, by comparing these two documents, that Mr. Henry Murdock's testimony was changed by Colonel Frank Sharp or members of his committee. I will also present Mr. Murdock as a witness to testify to this fact. I will present other witnesses who will testify to the fact that Colonel Sharp switched the tape recorder on and off recording only the statements he wished recorded, mostly the answers to leading questions.

Again by comparing the transcript against the Summary Report of Inquiry Concerning Mail-Administration of Sick Leave Policy of the Elmendorf Air Force Base Heating Plant that Mr. James F. Setzer has made admissions in this report that he is denying in the transcript. Obviously one of the two are false statements. I will prove by the transcript that Mr. Mansell made false statements under oath and if allowed to, I will prove that Mr. Mansell has made false statements about Setzer and official investigation as late as last week or at least Mr. Aly quoted him in a false statement.

I will present a witness who has seen the document written by Colonel Jack Gibbs, former Base Commander, Elmendorf Air Force Base to Colonel Seal directing Colonel Seal to build a case against Mr. Hartley so that I would be removed from the job. This happened in the summer of 1960 and undoubtedly had a marked effect in the manner in which the Air Force handled this case. I will present a letter signed by Mr. Harold Butcher denying he had ever received in his office a letter which Lt. Colonel Richardson claimed to have sent to him. I will show additional proof by the mountains of correspondence that I have received and sent out concerning this case that this is the only

letter that failed to reach its destination and it having less than 4 miles to travel.

I will show that three people from management appeared at the Personnel Office shortly after Colonel Wanderer handed down his decision to try to get me removed at that time. I will show thru the record of my 971 file and this letter of proposed removal that I have been under constant harassment by management.

I will show by copies of letters and reports leading up to the grievance hearing and Colonel Wanderer's decision on the grievance hearing that the Air Force for over a year attempted to cover up the fact that management was extremely harsh in their administration of sick leave as admitted by General McCrason's decision handed down 13 June 1961. I would point out that this case started between Christmas and New Year's 1959. It certainly could appear that it took the Air Force a considerable length of time to discover the faults that I have charged management with for a year and a half.

I will present the Colonel Wanderer decision which was signed on the same date that he had told me that he knew absolutely nothing of the decision or when it would be handed down. If he is as honest as the Commander of a great Air Force Base should be, he will have to admit this. However, this is his word against mine. Perhaps I can't prove it.

I will present witnesses to prove the statements I have made about Mr. Rismont and his lady friend to be true. I will also present a witness who has seen a letter addressed to Mr. and Mrs. Rismont, therefore it is illegal for him to be her supervisor and certainly irregular to give her an outstanding proficiency award with a cash award included.

I will also state that Mr. Aly has made it difficult to file this appeal in quoting sections of the 5040th Air Base Wing Manual 40-1 which are not identifiable in the manual made available to me. Perhaps I don't know how to use the manual but I cannot find S.1, C.2 of Chapter 10 and paragraphs 2, 2a, 2b and 3. In quoting from the 40-1 Manual in my appeals and my letters to Mr. Aly I have always given page numbers but Mr. Aly did not show me this courtesy knowing full well I would have difficulty not being familiar with the Manual.

I will again emphasize that I believe it is the intention of the Air Force to wear me out in this matter and to make it financially impossible for me to carry on the fight. This has undoubtedly been their intention all along which I believe in itself is a vicious thing.

I still believe in the honesty and the high integrity of our government. I believe truth will out, perhaps at this level. I sincerely hope that it will not be necessary to take this matter to civil court.

I would point out that many of the so-called defamatory statements were made in my appeals and letters to Secretary Zuckert. I believe I was invited to do this. That it was not only my right but my duty to point out the wrong doing of Government officials even though they happened to be high ranking officers in the Air Force. I don't believe these men are exempt just because they

- 3 -

happen to hold the rank of General and Colonel. In fact I believe this makes it even sorer for them to abuse their office as more is expected of them.

Hoping you will act upon this appeal promptly as this action will inflict grave hardship on me and my family.

Sincerely,

DANIEL W. HANTLEY  
606 Dunn Street  
Mt. View, Alaska

cc: Senator Ernest Greening  
Senator E. L. Bartlett  
Representative Ralph Rivers  
General Curtis LeMay  
Secretary Zerkert  
Secretary of Labor, Arthur Goldberg  
George A. Reid, Regnl Federal Employment Representative  
11th US Civil Service Region  
Federal Office Bldg  
Seattle 4, Washington



HEADQUARTERS  
5040TH CIVIL ENGINEERING GROUP (AAC)  
United States Air Force  
APO 942, Seattle, Washington

REPLY TO  
ATTN OF: CE-8

SUBJECT: Notice of Proposed Removal

TO: Mr. Daniel K. Hartley  
5040th Civil Engineering Group  
Utilities and Services Branch  
Power and Heating Section  
APO 942, Seattle, Washington

1. This letter is issued in accordance with Chapters AF 3-1 and C-2 of Air Force Manual 40-1, Chapter 10, 5040th Air Base Wing Manual 40-1, and under the provisions of Part 22 of the civil service regulations.

2. You are hereby given thirty (30) days advance notice that it is proposed to remove you from your position of Operating Engineer Steam, W-54-05-11, Position No. C-1986, with the Power and Heating Section, Utilities and Services Branch, 5040th Civil Engineering Group, for (1) making defamatory statements about your official superiors and other officials of this base, and (2) disrespect and insolence for your official superiors and other management officials of the base, Headquarters Alaskan Air Command and Headquarters United States Air Force.

a. Specifically, making defamatory statements about official superiors and other officials of this base - On 18 October 1961, you directed a letter to the Base Commander stating that you wished to refile an appeal to the Secretary of the Air Force in the matter of your grievance against Mr. James Setter and Mr. Charles Mansall. Among other statements in the letter, the following is quoted, "Examination of the transcript from the original hearing will bear out the statement that Mr. Mansall lied while under oath and that Mr. Setter made false statements while cross-examining Mr. Hartley." On 2 November 1961, you visited the office of the Director of Personnel, Headquarters Alaskan Air Command unannounced and without appointment. During the course of your conversation with Mr. Richard G. Andrews, Acting Director of Civilian Personnel, Alaskan Air Command, you again stated that Mr. Mansall and Mr. Setter had lied under oath during the grievance hearing. You further stated that you had positive proof that Colonel Sharp (former Inspector General, Headquarters Alaskan Air Command) had deliberately changed the testimony of Mr. Schalte during his grievance hearing and that Colonel Sharp had done

this to protect the Air Force and tried to make you out a liar. You also talked at length about young men in the service that had to serve under officers who had no integrity. You specifically named Brigadier General Gibbs, Colonel Wanderer, Colonel Sparks, Colonel Sharp, Lieutenant Colonel Matthews and Lieutenant Colonel Richardson. You further stated that you were "out to see that these officers (Brigadier General Gibbs, Colonel Sharp and Lieutenant Colonel Richardson) would never get promoted since they were not fit to serve over our young men in the service." With reference to the discussion between Colonel Wanderer and yourself on 27 March 1961 relative to your grievance hearing, you stated that Colonel Wanderer was an "out and out liar" because he must have known about the letter (the Base Commander's letter of decision relative to Mr. Hartley's grievance) when the Commander and yourself were talking. You further stated "you did not feel that a person who lied and lacked integrity was fit to be an officer in the Air Force." During the course of this discussion you further stated "I have proof that Colonel Sharp changed Mr. Schulte's testimony and that he destroyed the tapes so that it couldn't be proved or else to cover up for the Air Force."

b. Disrespect and insolence for your official superiors and other management officials of the base, Headquarters Alaskan Air Command and Headquarters United States Air Force - The Base Commander afforded you the courtesy of an interview relative to your grievance prior to rendering a decision in the matter, however, you have demonstrated contempt and disrespect for him by stating that he had lied relative to matters discussed during your interview with him. Further, you have offered no tangible evidence to support this statement. In your appeal of 26 May 1961 to the Commander, Alaskan Air Command of the decision rendered in your grievance by the Base Commander, it was stated that every possible courtesy and opportunity for a complete exposition of the facts was extended to you by the grievance committee. Upon being advised by the Commander, Alaskan Air Command, letter dated 13 June 1961, of their finding after review of your grievance case, wherein you were advised in detail of the reasons upon which the decision was based, you submitted request for further appeal to the Secretary of the Air Force, letter dated 6 July 1961. Quotations from your letter of appeal to the Secretary of the Air Force are as follows: "While the decision handed down by General McCreason is much better than anything that has been handed down to date it still falls far short of a just decision." "General McCreason has ignored completely the fact that Mr. Meneill has lied under oath as pointed out by Mr. Hugh J. Wade in his brief in support of request for review." "The decision handed down by General McCreason only tends to emphasize how completely dishonest the Air Force has been in the handling of this matter." On 15 November 1961 you charged that reprisal action was being taken by management against an employee who testified at your grievance

hearing. This employee's position has recently been abolished due to a reduction in the manpower requirements for the Power Plant. You charged that management, in taking action to abolish this employee's position, was doing this as a reprisal action. On 15 November 1961 you accused Mr. Mansell, the Foreman of the Power Plant, in the presence of another employee, of being "cheap and small" in discharging his responsibilities. By letter of 15 November 1961, addressed to the Civilian Personnel Officer, you again set forth seven (7) grievances all of which except one were related to your previous grievance hearing wherein again you stated that no corrective action had been taken against Mr. Setter and Mr. Mansell for having made false statements at your hearing.

3. In summation, your repeated allegations relative to the integrity of your official superiors and management officials of this base have caused embarrassment to and have reflected unfavorably on these individuals. The derogatory comments made by you during the different steps in the processing of your grievance, as well as lack of acceptance of the decision of duly constituted Air Force officials relative to your grievance and your insistence that your official superiors be disciplined based on your personal allegations and not on fact are considered to represent extreme disrespect and insolence.

4. You have the right to reply personally and in writing and to furnish affidavits and evidence in support of your reply. Your reply must be made within seven (7) calendar days from date of receipt of this letter. A reply should be mailed or carried to the undersigned. You may discuss your case with Mr. Stanley V. Resimont, Civilian Personnel Office, Building T7-191, Klamendorf Air Force Base.

5. No decision has been made or will be made until your reply has been received and considered or, if no reply is received, until after the date specified for making reply has elapsed. It is to the advantage of both yourself and management for you to fully use the rights to reply. In this way, all the facts of the case will be presented for management to consider before a final decision is made. Also, this will be a factor in determining whether a grievance hearing will be granted if you later appeal.

FOR THE COMMANDER

*William L. Alley*  
WILLIAM L. ALLEY  
Deputy Civil Engineer, Base



December 4, 1961

William L.aley  
Deputy Civil Engineer  
Klamath AFB, Alaska

Dear Sir:

The following excerpts from the 508th Air Base Wing Manual 1-1 are being presented to you in addition to my letter of November 28, 1961.

Paragraph 2303, Chapter 23.

- a. It is the policy of the Air Force and of this base that all employees will be treated fairly in every respect. They will be unbiased and free from restraint, interference, coercion, discrimination, or reprisal in the presentation of complaints, the filing of grievance appeals, and furnishing testimony.

Paragraph 2309, Sub-paragraph B - Written presentation of a grievance.

- (2) The supervisor to whom the grievance is presented will initiate action within 10 working days to obtain all the pertinent facts.
- (4) After full consideration of all the facts, the supervisor will notify the employee in writing of his decision and the reasons therefor.

(Did not answer my grievance but gave letter of reprimand instead)

Paragraph 2310, Chapter 20 - Remedial action

When a grievance is resolved in favor of the complainant, appropriate remedial action will be taken promptly.

(No action has been taken on General McCracken's decision 6-13-61)

Paragraph 1001 - Policy

- a. Primary emphasis will be placed on the prevention of situations requiring disciplinary actions through good employee-management relations. When the need for disciplinary action is clearly established, appropriate action will be taken promptly, impartially, and constructively. Employees concerned will be fully informed of the reasons which cause and justify the action against them. The efforts and attitude of employees depend largely upon the manner in which they are supervised in their work and upon the policies and procedures which affect them. The primary responsibility for good relationship of employee-relationship rests upon supervision. The prevention and elimination of actual or potential causes of employee dissatisfaction, and the prompt, orderly, and impartial action on employee problems which do arise, are basic essentials of productive employee-management relationship. The development and maintenance of an effective staff of employees requires that employees:

- (1) Understand the conditions of their employment, including their rights, privileges, obligations, duties and responsibilities.
- (2) Be currently informed on important developments that affect them.



- (3) Be encouraged to make known their attitudes, opinions, and recommendations in matters affecting the conditions of their employment.

(2) When called on to his office and proved the argument which brought about the grievance which I submitted on November 11, 1941. This would appear to be in violation of this manual. In fact, it would appear that an employee is encouraged to express his opinions concerning matters affecting his employment, which I have done.)

Paragraph 1008 b. - Supervisors. The supervisor is responsible for discharging the general management functions, including maintenance of proper conduct and discipline, among employees. This entails:

- (3) Taking all possible steps to prevent situations which might lead to disciplinary action.
- (7) As well as that, so-called written reprimands, suspensions, and removals are coordinated with appropriate higher officials of his organization and the Base Civilian Personnel Office prior to issuance to the employees.

(Should again emphasize that Mr. Kane set up a situation which he hoped would lead to disciplinary action by proving a better argument in the presence of my former, Mr. Ireland.)

Paragraph 1009 - Procedures.

Retardation of appropriate disciplinary action to be taken will be made in accordance with the Table of Offenses and Penalties. (see attachment 1)

I can find nothing in attachment 12 that I feel is a violation.)

Paragraph 1013 - Removal.

Removal is the most severe type of adverse action. Before this type of action is initiated, the facts and circumstances must be carefully analyzed. They must support the conclusion that the employee has clearly demonstrated his unwillingness, or refusal, to conform to the rules of conduct or unwillingness, or inability, to perform the duties of his assigned position. If removal action is warranted, the following action shall be taken:

The immediate supervisor will discuss the facts with the next higher level supervisor and the organizational head concerned. If concurrence is obtained, the immediate supervisor, with assistance from the Base Civilian Personnel Office, will prepare a letter notifying the employee of the proposal to remove him.

- a. (3) In removal or the so-called removal - specific in detail - giving time, date, place, and specific instructions.
- (7) Name, title, and location of the person in the Base Civilian Personnel Office to whom the employee may direct questions or requests for assistance.
- b. The letter shall be signed by the immediate supervisor preparing it, or other appropriate supervisor in line of authority. The letter shall be delivered personally to the employee by the immediate supervisor, if

possible. The signature of the employee acknowledging receipt should be obtained on an extra copy of the letter with date and time noted. If the employee refuses to sign, this should also be noted with date and time. If it is not possible to deliver the letter personally, it will be mailed to the employee's home address by certified mail.

(I have to advise you that because the facts of the next highest supervisor. In fact, he is opposed to this action. In item No. 3 - specific times, dates, place, and specified instructions were not given. In item (7) - In naming Mr. Stanley Bennett as the person to request assistance you have named a person whom I have attacked and who is definitely out to get me. How could I possibly hope to get proper counsel and assistance from a man who knows that he is under attack by the employee in question. Mr. Edward Deane has handled this matter since his arrival in Washburn. I believe his title is the Asst Personnel Officer. He is the only person in Civilian Personnel who has attempted to be fair and honest in advising me. I am certain it was the duty of Mr. Bennett to have pointed out these facts when I am now pointing out to you from the 10-1 Manual but naturally he would give me no assistance that would be of aid to me even though it was his duty to do so. Before Mr. Deane came to Washburn, a Mr. Hamilton had handled this case and now it seems quite strange that Mr. Deane should be removed from the picture completely as he is the person who has the most complete knowledge of it. It would appear that there are certain rights, privileges and regulations which have been completely ignored by you in preparing this letter of proposed removal. However, they have now been pointed out to you and it is my hope that you will take the appropriate action to correct the errors noted above.)

There are strange and rapid coincidences which I think even you will agree reflects bad faith on the part of the Air Force. They are certainly not in keeping with the high ethics that President Kennedy has pledged in the affairs of Government during his administration.

1. I submitted my letter of grievance on 15 November 1961
2. My letter of official reprimand received 17 November 1961  
The letter of reprimand in item 2 makes no mention of a more severe action to be taken. It does mention the possibility of a lesser action.
3. Answer to letter of reprimand submitted 20 November 1961
4. Letter cancelling letter of official reprimand received approximately 1:00 pm 27 November 1961
5. Letter acknowledging my written grievance received approximately 3:00 pm 27 November 1961
6. Letter of proposed removal received a few minutes after you handed me the letter acknowledging my letter of written grievance. This would appear highly unethical. Paragraph 1303, Chapter 23, specifically provides that there will be no restraint, interference, coercion, discrimination or reprisal in the filing of a grievance appeal. It also seems quite irregular that Mr. Russell could hand me a letter of official reprimand which specifies strikes as follows: "If you reply, careful consideration will be given your examination of the facts and circumstances. In the event that your examination does not warrant a lesser action, a copy of this reprimand, together with your reply will become a matter of permanent record by forwarding same to the Civilian Personnel Office where it will be in your official personnel file. If your reply does warrant a lesser action, all copies of this letter will be destroyed and you will be assigned a new one."

It is apparent that my letter of reply was sufficient to have caused the letter of reprimand to be cancelled but apparently it aggravated him to the degree that both he and management have seen fit to attempt to remove me which has been quite obvious that it was their intention all along. There have been attempts in the past which I have pointed out in previous letters where three people from management appeared at the personnel office to have me removed for having made allegedly such false statements against them. Mr. Bell's statement stating that Mr. Mansell would have me fired within a year. He was even willing to bet \$10 that it would happen. He made these statements before witnesses.

I would further point out that the statements made to Mr. Andrews are near my statements twice removed, and if Mr. Andrews secretary took these statements down verbatim I would challenge her ability to do this as my last was to her all this time and in addition it is a violation of my rights to record my statements without my knowledge. And I am certain that Mr. Andrews was aware that I was speaking to him confidentially and as a friend, certainly not in violation of a friendship and proving the Air Force use of questionable tactics in achieving their desired ends.

It is amazing to me that the Air Force would stake this coming to public attention through civil service hearing and a suit in the civil courts, and they will still the damaging evidence which available in the written record. One of the many disgruntled employees who have contributed large sums of money to fight this case who sent certainly would give damaging testimony to the Air Force in hearings of this type. Of course you will know, I will be forced to do just this if this proposed removal stands.

Daniel H. Hartley  
646 Dunn Street  
St. Vrain, Alaska

cc: Senator Ernest Gruening  
Senator A. L. Bartlett  
Representative Milton Evers

Sen. Charles McNary  
Secretary Packard  
Secretary of Labor, Arthur Goldberg  
George A. Edd, Regional Federal Employment representative  
11th U. S. Civil Service Region  
Federal Office Building  
Suite 1, Washington

Daniel N. Hartley  
606 Bunn Street  
Mt. View, Alaska



RETURN RECEIPT REQUESTED

Deliver to addressee only.

Mr. James R. Hoffa, President  
International Brotherhood of Teamsters  
Chauffeurs, Warehousemen and Helpers of America  
25 Louisiana Avenue, N.W.  
Washington, DC

REGISTERED  
NO. 7094

*late*

VIA AIR MAIL  
SPECIAL DELIVERY

*not an office  
Went for him  
after 2nd try  
with 2 n. 175*

